

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*  
*al.*,

Debtors.<sup>1</sup>  
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PROMESA  
Title III

No. 17 BK 3283-LTS

(jointly administered)

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

**Response to the One Hundred Forty-Third Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests based upon unspecified Puerto Rico Statutes**

COMES NOW, María Dolores Pérez Montano, PRO SE litigant, former employee of the Department of Education for the Commonwealth of Puerto Rico and one of the claimants in the present procedure No. 17 BK 3283-LTS under the Title III Promesa.

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

### **BACKGROUND**

1. The undersigned claimant submitted a proof of claim for payment against the Commonwealth of Puerto Rico, dated June 28, 2018, claim number 165615 for the total amount of \$4,800.00. The 9<sup>th</sup> of July 2018 the claim was filed by the court.

2. The claim was based on the Law 96 of July 1, 2002 (Ley Número 96 del 1 de julio de 2002).

3. The aforementioned law 96 was created by the Commonwealth of Puerto Rico in order to grant a monthly salary increase of one hundred dollars (\$100.00) to all public employees of the Government of ELA, effective the July 1, 2002 (Para conceder un aumento de sueldo de cien (100) dólares a los empleados públicos del gobierno, efectivo el 1ero de julio de 2002).

4. Pursuant to this law, all the government's employees, except those specifically excluded in the law, were considered beneficiaries of the monthly salary increase of one hundred dollars (\$100.00).

5. Recently, on January 14, 2020, the Commonwealth of Puerto Rico represented by the Financial Oversight and Management Board, filed an Omnibus Global Objection to "deficient claims asserting interests based upon unspecified Puerto Rico statutes".

6. In summary, the Commonwealth alleges that numerous creditors' claims are deficient since they failed to provide essential documents and information "such as the specific law number and year in which the statute was passed" regarding the basis for their claim against the Commonwealth.

7. The claimant claim number 165615 based on a salary demand was included in the Omnibus Global Objection.

**RESPONSE TO OMNIBUS OBJECTION**

8. The undersigned claimant was a former employee of the Department of Education of the Commonwealth of Puerto Rico, when the Law 96 came into effect, and she did not receive any benefit from the monthly salary increase granted by the statute (Exhibit 2).

9. Therefore, the undersigned opposes the Omnibus Global Objection of the Commonwealth, and states contrary to what is alleged in the Objection that the submitted proof of claim number 165615 is based on a specific statute passed by the Commonwealth (Exhibit 2).

10. Moreover, the claimant provided in the proof of claim and in this Response Motion, the necessary information and documents to grant her credit against the Commonwealth of Puerto Rico.

**WHEREFORE,** the claimant respectfully requests to this Honorable Court to deny the Omnibus Objection and Requested Relief with respect to any claim.

**CERTIFICATE OF SERVICE**, I hereby certificate that a true and correct copy of the foregoing motion and exhibits was served through the US certified mail to the Clerk's Office, United States District Court at Room 150 Federal Building San Juan, Puerto Rico 00918-1767; to the Counsel for the Oversight Board, at Proskauer Rose LLP, Eleven Times Square, New York, New York 10036-8299, Attn: Martin J. Bienenstock, Brian S. Rosen; and to the Counsel for the Creditors' Committee, Attn. Luc A. Despins, James Bliss, James Worthington, and G. Alexander Bongartz.

Date: February 12, 2020

Arecibo, Puerto Rico

**RESPECTFULLY SUBMITTED,**



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